

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

In re: Nissan North America, Inc. Litigation

Case No.: 3:19-cv-00843

LAKEITA KEMP, individually and on behalf of
all others similarly situated,
Plaintiff,

Case No.: 3:19-cv-00854

v.

NISSAN NORTH AMERICA, INC. and
NISSAN MOTOR CO., LTD.,
Defendants,

Bereda, et. al, individually and on behalf of all
others similarly situated,
Plaintiffs,

Case No.: 3:22-cv-00098

v.

NISSAN NORTH AMERICA, INC. and
NISSAN MOTOR CO., LTD.,
Defendants,

District Judge William L. Campbell, Jr.
Magistrate Judge Jeffrey S. Frensley

DECLARATION OF BRYAN D. PASCIAK
IN SUPPORT OF DEFENDANTS' RESPONSE TO PLAINTIFFS'
MOTION TO STRIKE TESTIMONY OF SATORU YAHAGI

I, Bryan D. Pasciak, do hereby declare as follows:

1. I am an attorney at the law firm of Faegre Drinker Biddle & Reath LLP, representing Defendants Nissan North America, Inc. ("NNA") and Nissan Motor Co., Ltd. ("NML") in this action (collectively, "Defendants"). I submit this Declaration in support of Defendants' Response to Plaintiffs' Motion to Strike Testimony of Satoru Yahagi. I have been involved in the defense of this action, am familiar with its proceedings, and have personal

knowledge of the matters set forth herein based upon my participation in this case. If called upon to testify as a witness, I would competently testify to them.

2. To date, 5,237 documents from Satoru Yahagi's custodial file were produced to Plaintiffs in this matter.

3. Attached hereto as **Exhibit 1** is a true and correct copy of relevant excerpts from Defendant Nissan Motor Co., Ltd.'s Initial Disclosures Pursuant to Federal Rule of Civil Procedure 26(a)(1), which contains highlights added by counsel to draw the Court's attention to the relevant information.

4. Attached hereto as **Exhibit 2** is a true and correct copy of relevant excerpts from Defendant Nissan Motor Co., Ltd.'s Objections and Responses to Plaintiffs' First Set of Interrogatories, which contains highlights added by counsel to draw the Court's attention to the relevant information.

5. Attached hereto as **Exhibit 3** is a true and correct copy of a March 12, 2021 letter sent by counsel for Defendants, E. Paul Cauley, Jr., to counsel for Plaintiffs, H. Clay Barnett, III, which contains highlights added by counsel to draw the Court's attention to the relevant information.

6. Attached hereto as **Exhibit 4** is a true and correct copy of excerpts from a May 10, 2021 letter sent by counsel for Plaintiffs, H. Clay Barnett, III, to counsel for Defendants, E. Paul Cauley, Jr., which contains highlights added by counsel to draw the Court's attention to the relevant information.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed on December 7, 2022.

/s/ Bryan D. Pasciak

Bryan D. Pasciak